

AIR TRANSPORT SERVICES

*Exchange of notes at Washington November 29 and December 2, 1940,
giving effect to article III of arrangement of August 18, 1939*

Entered into force December 3, 1940

*Extended by agreement of March 4, 1943*¹

*Superseded February 19, 1945, by agreement of February 17,
1945*²

54 Stat. 2422; Executive Agreement Series 186

The Secretary of State to the Canadian Chargé d'Affaires ad interim

DEPARTMENT OF STATE

WASHINGTON

November 29, 1940

SIR:

I refer to a meeting of representatives of the competent aeronautical authorities of the Government of the United States of America and of the Government of Canada, respectively, held at Ottawa, Canada, on September 9 and 10, 1940, for the purpose of making recommendations to give effect to Article III of the air transport arrangement entered into between the two Governments on August 18, 1939,³ by reference to existing and prospective international air transport services between the United States and Canada.

The competent aeronautical authorities of the two Governments have made the following recommendations:

(1) That Article III of the air transport arrangement entered into between the two Governments on August 18, 1939, should be given effect in accordance with the enumerations attached hereto, and made a part hereof.

(2) That the recommendations shall, if accepted by the two Governments, have effect until December 31, 1942.

(3) That at least six months prior to December 31, 1942, a further conference of representatives of the competent aeronautical authorities of the two Governments shall be called for the purpose of considering any revision or modification of their recommendations and any new problems pertaining to air transport services which may have arisen in the interim.

¹ 57 Stat. 923; EAS 314.

² EAS 457, *post*, p. 388.

³ EAS 159, *ante*, p. 161.

The recommendations of the competent aeronautical authorities of the two Governments, as herein referred to, are acceptable to the Government of the United States. I shall appreciate it if you will inform me whether these recommendations are also acceptable to your Government. If so, it is suggested that the present note and your reply thereto constitute an arrangement between the Government of the United States of America and the Government of Canada to become effective on December 3, 1940, and to remain in effect thereafter until December 31, 1942.

Accept, Sir, the renewed assurances of my high consideration.

CORDELL HULL

Attachment:
Enumerations of air
transport routes.

MR. MERCHANT MAHONEY, C. B. E.,
Chargé d'Affaires ad interim of Canada.

[ATTACHMENT]

RECOMMENDATIONS OF THE COMPETENT AERONAUTICAL AUTHORITIES OF
THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND CANADA
FOR GIVING EFFECT TO ARTICLE III OF THE AIR TRANSPORT ARRANGE-
MENT BETWEEN THE TWO GOVERNMENTS, ENTERED INTO ON AUGUST 18,
1939

(Enumerations Referred to in Exchange of Notes Between the Two Governments
Accepting These Recommendations)

International air transport services actually in operation between the two countries, for which certificates and permits have been issued by the respective Governments, to be confirmed. Services with respect to which applications for formal certificates or permits are now pending, other than those services specifically listed below, shall be subject to disposition at the sole discretion of the appropriate agency of the Government before which such applications are pending.

With respect to new services:

Each Government to take the appropriate steps to permit the operation by air carrier enterprises of the other, holding proper authorization from their own Governments, respectively, during the period ending December 31st, 1942, in accordance with the following specification of the routes and of the nationalities of the air carriers by which service over each route will be operated between:

Bangor, Maine—Moncton, New Brunswick	United States
New York, New York—Toronto, Ontario	Canada
Buffalo, New York—Toronto, Ontario	United States
Windsor, Ontario—Any point or points in the United States	United States
Detroit, Michigan—Any point or points in Canada	Canada
Great Falls, Montana—Lethbridge, Alberta	United States

The Canadian Government to co-operate in, or to permit or undertake the establishment on behalf of a United States air carrier, subject to Canadian law, of the necessary aids to air navigation, along the coast of British Columbia.

Further decisions with respect to routes and services to Alaska to be reserved for future consideration.

The Canadian Chargé d'Affaires ad interim to the Secretary of State

CANADIAN LEGATION
WASHINGTON
December 2, 1940

No. 379

SIR,

I have the honour to acknowledge the receipt of your note of November 29, 1940, in which you refer to a meeting of representatives of the competent aeronautical authorities of the Government of Canada and of the Government of the United States of America respectively, held at Ottawa, Canada, on September 9 and 10, 1940, for the purpose of making recommendations to give effect to Article III of the air transport arrangement entered into between the two Governments on August 18, 1939, by reference to existing and prospective international air transport services between the United States and Canada.

The competent aeronautical authorities of the two Governments have made the following recommendations:

(1) That Article III of the air transport arrangement entered into between the two Governments on August 18, 1939, should be given effect in accordance with the enumerations attached hereto, and made a part hereof.

(2) That the recommendations shall, if accepted by the two Governments, have effect until December 31, 1942.

(3) That at least six months prior to December 31, 1942, a further conference of representatives of the competent aeronautical authorities of the two Governments shall be called for the purpose of considering any revision or modification of their recommendations and any new problems pertaining to air transport services which may have arisen in the interim.

You ask to be informed whether the recommendations of the competent aeronautical authorities of the two Governments, as herein referred to, are acceptable to the Government of Canada. In reply, I have the honour to say these these recommendations are acceptable to my Government, which agrees to your suggestion that your note of November 29, 1940, and the present reply shall constitute an arrangement between the Government of Canada and the Government of the United States of America. My Government also

agrees to your suggestion that the arrangement become effective on December 3, 1940, and remain in effect thereafter until December 31, 1942.

I have the honour to be, with the highest consideration, Sir,

Your most obedient, humble servant,

MERCHANT MAHONEY
Chargé d'Affaires ad interim

The Hon. CORDELL HULL
Secretary of State of the United States
Washington, D.C.

[For text of recommendations, see attachment to U.S. note, above.]